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UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/887,198	06/22/2001	Matthew A. Guido	N0093US	7255

			EXAMINER
7590	12/19/2003		LU, KUEN S

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ART UNIT	PAPER NUMBER
2177	

DATE MAILED: 12/19/2003   5

Please find below and/or attached an Office communication concerning this application or proceeding.

	Application No.	Applicant(s)
Office Action Summary	09/887,198	GUIDO ET AL.
	Examiner	Art Unit	
	Kuen S Lu	2177	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE _3_ MONTH(S) FROM
THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed
  after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any
  earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on _22 June 2001_.

2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.

3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is
closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) _1-28_ is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5) ☐ Claim(s) _____ is/are allowed.

6) ☒ Claim(s) _1-28_ is/are rejected.

7) ☐ Claim(s) _____ is/are objected to.

8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.

10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. §§ 119 and 120

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
      1. ☐ Certified copies of the priority documents have been received.
      2. ☐ Certified copies of the priority documents have been received in Application No. _____.
      3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage
      application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application)
since a specific reference was included in the first sentence of the specification or in an Application Data Sheet.
37 CFR 1.78.
    a) ☐ The translation of the foreign language provisional application has been received.

14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific
reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)   4) ☐ Interview Summary (PTO-413) Paper No(s). _____ .
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)   5) ☐ Notice of Informal Patent Application (PTO-152)
3) ☒ Information Disclosure Statement(s) (PTO-1449) Paper No(s) _3_ .   6) ☐ Other: .

DETAILED ACTION

Drawings

1.   The drawings are objected to because they fail to show necessary textual labels of features or symbols for every element in Fig. 1, as described in the specification. For example, placing a label "geographic region", with element 100 of Fig. 1, would give the viewer necessary detail to fully understand this element at a glance. A **descriptive** textual label for **each numbered element** in these figures would be needed to fully and better understand these figures without substantial analysis of the detailed specification. Any structural detail that is of sufficient importance to be described should be shown in the drawing. Optionally, applicant may wish to include a table next to the present figure to fulfill this requirement. See 37 CFR 1.83. 37 CFR 1.84(n)(o) is recited below:

"(n) Symbols. Graphical drawing symbols may be used for conventional elements when appropriate. The elements for which such symbols and labeled representations are used must be adequately identified in the specification. Known devices should be illustrated by symbols which have a universally recognized may be used, subject to approval by the Office, if they are not likely to be confused with existing conventional symbols, and if they are readily identifiable."

"(o) Legends. Suitable descriptive legends may be used, or may be required by the Examiner, where necessary for understanding of the drawing, subject to approval by the Office. They should contain as few words as possible."

Claim Rejections - 35 USC § 102

1.

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects

for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2.   Claims 13-17 and 25-27 are rejected under 35 U.S.C. 102(e) as anticipated by Israni et al. (U.S Patent 6,438,561, hereafter "Israni").

As per claim 13, Israni teaches the following:

"road segment data that represents road segments located in a geographic region" by showing geographic database containing data that represents roads located in the geographic region at Fig. elements 216 and 222s, col. 8, lines 63-66;   ∕

"advertising zone data associated with said road segment data, wherein said advertising zone data indicate which of a plurality of advertising zones into which the geographic region is divided road segments represented said road segment data are located in" by associating with each data entity that represents a road segment located in the geographic region data that indicate in which of location the road segment represented by the data entity is located at Fig. 4, elements 212, 214 and Fig. 5, elements 216 and 222s, and col. 8, lines 33-34, 53-54 and 63-66 by showing road segments 222(1), ..., 222(n) in the geographic portion 216 in the geographic region 212.

As per claim 14, Israni teaches "an index that references advertising zones that encompass other advertising zones" by defining an index that references each of the advertising zones in the first layer that overlap the second layer at col. 12, lines 25-32.

As per claim 15, Israni teaches "geographic database is installed in a standalone navigation system" by the installation of geographic database in a standalone navigation system at col. 3, lines 1-8.

As per claim 16, Israni teaches "geographic database is installed on a navigation services server from which end users' computing platforms obtain geographically-related services" by installing geographic database on a navigation services server from which end users' computing platforms obtain geographically-related services by allowing navigation system that uses a geographic database to also use the data in traffic messages broadcast by a traffic broadcast system at Absrtact, lines 1-3.

As per claim 17, Israni teaches "advertising zone data includes an indication of which of a plurality of layers of advertising zones, a particular advertisingzone is located in " by defining location layers with greater detail at the lower layers and less detail at the higher layers at col. 11, lines 21-22 and 27-30, wherein hierarchy of layers may include up to five separate layers of the data at col. 11, lines 60-61, and further wherein at least some overlapping between layers at col. 12, lines 25-29 by allowing some duplication of data into layers.

As per claim 25, Israni teaches determining a position of a mobile computing platform as the mobile computing platform travels in a geographic region at col. 7, lines 39-42 by providing routing calculation and guidance to the drivers, Israni teaches determining in which of a plurality of advertising zones into which the geographic region is divided the user is located at col. 7, lines 39-42 by providing vehicle positioning services; and

Israni teaches providing the user with a warning message associated with said advertising zone at teaches col. 2, lines 51-54 by relating location reference numbers used by a traffic broadcast system to location reference data records in a geographic

database used by the navigation system.

As per claim 26, Israni teaches " warning message relates to an adverse weather

condition" by providing warning message relates to anadverse weather condition at

col. 26, lines 31-36 by using location reference data entities may be used in the

geographic database to utilize numbering references from systems other than those

that broadcast traffic messages at col. 26, lines 31-36.

As per claim 27, Israni teaches "warning message relates to traffic conditions in

the zone" by providing warning message relates to traffic conditions in the zone at

col. 8, lines 25-32.

Claim Rejections - 35 USC § 103

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

This application currently names joint inventors. In considering patentability of the claims under 35 U.S.C. 103(a), the examiner presumes that the subject matter of the various claims was commonly owned at the time any inventions covered therein were made absent any evidence to the contrary. Applicant is advised of the obligation under 37 CFR 1.56 to point out the inventor and invention dates of each claim that was not commonly owned at the time a later invention was made in order for the examiner to consider the applicability of 35 U.S.C. 103(c) and potential 35 U.S.C. 102(e), (f) or (g) prior art under 35 U.S.C. 103(a).

3.   Claims 1-12, 18-24 and 28 are rejected under 35 U.S.C. 103(a) as being unpatentable

over Israni et al. (U.S. Patent 6,438,561) and further in view of Rittmaster et al. (U.S.

Publication 2002/0023010, hereafter "Rittmaster").

As per claims 1 and 20, Israni teaches he following:

"mobile computing platforms that provide navigation-related services " by showing a

navigation system for delivering traffic messages to users of mobile computing

platforms at Abstract, lines 1-3;

defining location within a geographic region at Fig. 4, elements 214s, col. 8, lines 30-

31; and

"defining advertising areas within the geographic region" by using a geographic

database containing data that represents roads located in the geographic region at

Fig. 5, elements 216 and 222s, col. 8, lines 63-66, associating with each data entity

that represents a road segment located in the geographic region data that indicate in

which of location the road segment represented by the data entity is located at Fig. 4,

elements 212, 214 and Fig. 5, elements 216 and 222s, and col. 8, lines 33-34, 53-54

and 63-66 by showing road segments 222(1), ..., 222(n) in the geographic portion

216 in the geographic region 212.

Israni does not specifically teach delivering advertising to users of mobile

computing platform.

However, Rittmaster teaches communicating advertisement or promotional

information to user through content provider processors at Page 15, Par. [0126],

lines 1-6, and Par. [0127], lines 6-9.

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to combine Rittmaster's teaching into Israni's by

using Israni's system for delivering advertisement to the users because by doing so

would fulfill the need in the industry for a system by which a content provider would
be able to deliver a service or product, based on geographic region in which the
users requesting such service or product are located.

As per claim 2, Israni teaches "defining a hierarchy of said advertising zones,
wherein said hierarchy of advertising zones includes at least a first layer and a
second layer by defining location layers with greater detail at the lower layers and
less detail at the higher layers at col. 11, lines 21-22 and 27-30, wherein hierarchy of
layers may include up to five separate layers of the data at col. 11, lines 60-61, and
"further wherein at least some of the advertising zones in said first layer overlap some
of the advertising zones in said second layer" by showing at least some overlapping
between layers at col. 12, lines 25-29 by allowing some duplication of data into
layers.

As per claim 3, Israni teaches "defining an index that references each of the
advertising zones in the first layer that overlap each of the advertising zones in the
second layer" by defining an index that references each of the advertising zones in
the first layer that overlap the second layer at col. 12, lines 25-32.

As per claims 4 and 21, Israni teaches associating with at least some of said
advertising zones by relating location reference numbers used by a traffic broadcast
system to location reference data records in a geographic database used by the
navigation system at col. 2, lines 51-54.

Israni does not teach associating **advertising messages specifically** with at
least some of said advertising zones.

However, Rittmaster teaches displaying selective advertisement information to users at selective time and location at Page 14, Par. [0124], lines 11-17.

It would have been obvious to one having ordinary skill in the art at the time of the applicant's invention was made to combine Rittmaster's teaching into Israni's by using Israni's traffic broadcasting and navigation system to broadcast particular set of advertisement message to specific location because by doing so the effect of advertisement or promotion would be maximized.

As per claims 5, Rittmaster further teaches storing advertisement message into database by allowing each advertiser to modify, add or delete advertisement information from advertiser's computer at Page 14, Par. [0124], lines 1-3.

As per claim 6, Israni teaches "advertising zones are formed dynamically" by dynamically forming broadcasting location by using location reference record data to identify certain other kinds of data records that represent segments of roads as being associated with certain location reference numbers at col. 2, lines 41-45.

As per claim 22, Israni teaches "after the step of delivering, providing the advertising message via a user interface of the mobile computing platform" by delivering, providing the advertising message via a user interface of the mobile computing platform at col. 6, lines 52-55.

As per claims 23 and 24, Israni teaches delivering, providing the advertising message audibly via the mobile computing platform at col. 2, lines 6-9 providing routing guidance instructions audibly or visually.

As per claim 7, Israni teaches "defining a hierarchy of advertising areas located

within a geographic region" by defining location within a geographic region at Fig. 4,

elements 214s, col. 8, lines 30-31; "wherein said hierarchy of advertising areas

include at least a first layer and a second layer" by showing location layers are

defined with greater detail at the lower layers and less detail at the higher layers at

col. 11, lines 21-22 and 27-30; "wherein said first layer and said second layer overlap

" at col. 12, lines 25-29 by allowing some duplication of data into layers; and

"in a geographic database that contains data that represent roads located in the

geographic region" by showing a geographic database containing data that

represents roads located in the geographic region at Fig. 5, elements 216 and 222s,

col. 8, lines 63-66, "associating with each data entity that represents a road segment

located in the geographic region data that indicate in which of said advertising areas

the road segment represented by the data entity is located" by associating with each

data entity that represents a road segment located in the geographic region data that

indicate in which of location the road segment represented by the data entity is

located at Fig. 4, elements 212, 214 and Fig. 5, elements 216 and 222s, and col. 8,

lines 33-34, 53-54 and 63-66 by showing road segments 222(1), ..., 222(n) in the

geographic portion 216 in the geographic region 212.

Israni does not specifically teach delivering advertising to users of a geographic

region.

However, Rittmaster teaches communicating advertisement or promotional

information to user through content provider processors at Page 15, Par. [0126], lines

1-6, and Par. [0127], lines 6-9.

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to combine Rittmaster's teaching into Israni's by

using Israni's system for delivering advertisement to the users because by doing so

would fulfill the need in the industry for a system by which a content provider would

be able to deliver a service or product, based on geographic region in which the

users requesting such service or product are located.

As per claim 8, Israni teaches defining an index that references each of the

advertising zones in the first layer that overlap the second layer at col. 12, lines 25-

32.

As per claim 9, Rittmaster further teaches displaying advertiser's advertisement at

appropriate time (Page 17, Par. [0145], lines 10-11) and locking out un-accessible

processors in restricted geographic regions (Page 18, Par. [0146], lines 9-13).

As per claims 10-12, Rittmaster further teaches presenting advertising,

promotional or informational content to a user that is pertinent to the user's physical

location and/or pertinent events at Page 15, Par. [0131], lines 3-6 and, based on

geographic location of user's portable communication device at Page 15, Par. [0127],

lines 6-9.

As per claims 18 and 28, Israni teaches "determining a position of a mobile

computing platform as the mobile computing platform travels in a geographic region"

at col. 7, lines 39-42 by providing routing calculation and guidance to the users,

"determining in which of a plurality of advertising zones into which the geographic

region is divided the user is located" at col. 7, lines 39-42 by providing vehicle

positioning services; and

teaches providing the user with a traffic message associated with traffic location in a

geographic area at col. 2, lines 51-54 by relating location reference numbers used by

a traffic broadcast system to location reference data records in a geographic

database used by the navigation system.

Israni does not specifically teach delivering advertising to users of mobile

computing platform.

However, Rittmaster teaches communicating advertisement or promotional

information to user through content provider processors at Page 15, Par. [0126],

lines 1-6, and Par. [0127], lines 6-9.

It would have been obvious to one having ordinary skill in the art at the time of the

applicant's invention was made to combine Rittmaster's teaching into Israni's by

using Israni's system for delivering advertisement to the users because by doing so

would fulfill the need in the industry for a system by which a content provider would

be able to deliver a service or product, based on geographic region in which the

users requesting such service or product are located.

As per claim 19, Israni teaches providing advertising messages over a wireless

communications link to the mobile computing platform from a navigation services

server at col. 17, lines 1-3 by providing location reference record in the geographic

database to the vehicle via a wireless communication link.

Conclusion

4.   The prior art made of record

      A. U.S. Patent No.   6438561

      B. U.S. Publication   2002/0023010

The prior art made of record and not relied upon is considered pertinent to applicant's

disclosure.   C. U.S. Patent No.   5627549

      D. U.S. Patent No.   6452498

      E. U.S. Publication   2002/0002552

      F. U.S. Publication   2001/0043148

      G. U.S. Publication   2002/0065691

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to Kuen S Lu whose telephone number is 703-305-4894. The

examiner can normally be reached on 8 AM to 5 PM, Monday through Friday.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, John Breene can be reached on 703-305-9790. The fax phone number for the

organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or

proceeding should be directed to the receptionist whose telephone number is 703-305-3900.

KL

Patent Examiner

November 21, 2003

JOHN BREENE
SUPERVISORY PATENT EXAMINER
TECHNOLOGY CENTER 2100